IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7584 OF 2004

Ananda Bhimrao Desai & Ors. .. Petitioners.
Vs.
State of Maharashtra through
Ministry of Co-operation & Ors. .. Respondents.

Mr.A.B.Borkar for the petitioners.
Mr.D.A.Patil AGP for the respondents.

CORAM : D.B.BHOSALE, J.

DATED : 14TH SEPTEMBER, 2004

P.C.:

. Heard Mr.Borkar, learned counsel for the petitioners and Mr.Patil, learned A.G.P. for the respondents.

2. In this writ petition, the petitioners have challenged the show cause notice issued by the District Deputy Registrar, Co-operative Societies dated 10.8.2004, under section 78 of the Maharashtra Co-operative Societies Act, 1960 (for short "the Act"). Mr.Borkar, learned counsel for the petitioner states that the petitioner would be satisfied if they are protected for a period of 15 days if the order passed by the concerned authority in the proceedings under section 78 of the Act is

adverse to the petitioners. Mr.Patil, learned A.G.P. did not seriously oppose, this prayer in view of the various similar orders passed by this court annexed to the instant writ petition. In the circumstances this petition is disposed of by the following order:

. If the order of respondent no.2 - District Deputy Registrar, passed in the proceedings under section 78 of the Act, is adverse to the petitioners same shall remain stayed for a period of two weeks from the date of its communication to the petitioners.

. While passing this order I shall not be understood to have examined merits of the case. The concerned authority shall decide the proceedings under section 78 of the Act on merits in accordance with law.

(D.B.Bhosale, J.)